

IN THE UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF ARKANSAS
EL DORADO DIVISION

LUCRETIA CROSS, ET AL

PLAINTIFF

VS.

CASE NO. 05-CV-1101

GEORGIA PACIFIC CORPORATION

DEFENDANT/
THIRD-PARTY PLAINTIFF

VS.

P.M.C. CONSTRUCTION, INC.

THIRD-PARTY DEFENDANT

ORDER

Before the Court is Defendant/Third-Party Plaintiff Georgia-Pacific Corporation's Motion to Non-Suit Third Party Complaint Against Third-Party Defendant P.M.C. Construction, Inc. (Doc. Nos. 13 and 31). Third Party Defendant P.M.C. has responded. (Doc. No. 16). Upon consideration, the Court finds that the motion should be and hereby is **granted**. Georgia-Pacific Corporation's Third Party Complaint against Third Party Defendant P.M.C. Construction is hereby dismissed without prejudice. If this matter is refiled in any court Georgia Pacific Corporation will be ordered to pay any costs and expenses including reasonable attorney's fees which are duplicated as a result of refiling.

IT IS SO ORDERED, this 13th day of October, 2006.

/s/Harry F. Barnes
Hon. Harry F. Barnes
United States District Judge